

#4



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mustapha Abdelouahed and John W. Lawler
Application No.: 10/084,832 Group: 1642
Filed: February 27, 2002 Examiner: Not assigned
For: Diagnostic Assay for Type 2 Heparin-Induced Thrombocytopenia

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Box Sequence, P.O. Box 2327, Arlington, VA 22202	
on <u>6/26/02</u>	<u>K. Bastarache</u>
Date	Signature
Kathleen M. Bastarache	
Typed or printed name of person signing certificate	

TRANSMITTAL OF SEQUENCE LISTING
IN REPLY TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents
Box Sequence, P.O. Box 2327
Arlington, VA 22202

Sir:

This paper is submitted in response to the Notice to File Missing Parts of Application, mailed from the Patent Office on March 26, 2002. A copy of the Notice is attached.

Applicants' Attorney requests an extension of time to respond to the Notice. A Petition for Extension of Time and the appropriate fees are being filed concurrently.

Transmitted herewith is a copy of the "Sequence Listing" (sheets 1/1 through 1/1) in paper form for the above-identified patent application as required by 37 C.F.R. §1.821(c) and a copy of the "Sequence Listing" in computer readable form as required by 37 C.F.R. §1.821(e). As required by 37 C.F.R. §1.821(f), Applicants' Attorney hereby states that the content of the "Sequence Listing" in paper form and the computer readable form of the "Sequence Listing" are the same and, as required by 37 C.F.R. §1.821(g), also states that the submission includes no new matter.

In the Specification

Please insert the attached "Sequence Listing" (sheets 1/1 though 1/1), and comprising SEQ ID NOS: 1-3, into the above-referenced application.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol A. Egner
Carol A. Egner
Registration No: 38,866
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: June 26, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/084,832	02/27/2002	Mustapha Abdelouahed	1440.1038-003

CONFIRMATION NO. 5718

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133

FORMALITIES LETTER



OC00000007719049

Date Mailed: 03/26/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

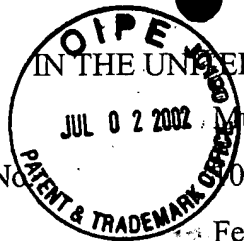
- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$540.
 - \$288 for 16 total claims over 20.
 - \$252 for 3 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1410.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mustapha Abdelouahed and John W. Lawler

Application No: 00/084,832

Group: 1642

Filed: February 27, 2002

Examiner: Not assigned

For: Diagnostic Assay for Type 2 Heparin-Induced Thrombocytopenia

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
on <u>6/26/02</u>	<u>K Bastarache</u>
Date	Signature
Kathleen M. Bastarache	
Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated March 26, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**

(Separate transmittal letter and postcard not required)

☐ **POWER OF ATTORNEY DOCUMENT**

☐ **GRANTED BY INVENTOR(S)**

☐ **GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**

(Separate transmittal letter and postcard not required)

☐ **PRELIMINARY AMENDMENT**

(Separate transmittal letter and postcard not required)

☒ **FILING FEE - with Fee Transmittal for Patent Applications in duplicate**

Fee calculations based on:

☒ Claims as originally filed

☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

(Separate transmittal letter and postcard not required)

07/08/2002 MAHME1 00000112 10084832

05 FC:215

☒ **SURCHARGE - surcharge fee of \$65.00.**

(Separate transmittal letter and postcard not required)

55.00 0P

☒ **SEQUENCE LISTING - Filed concurrently and is attached**

(Separate transmittal letter and postcard required)

☐ **SUBSTITUTE DRAWINGS**

☐ Sheets of substitute drawings consisting of Figs. 1 - ☐ are enclosed

(Separate transmittal letter and postcard not required)

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated March 26, 2002 for one month from May 26, 2002 to June 26, 2002. The appropriate fee of \$55.00 is included in the enclosed check.

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached**

(Separate transmittal letter and postcard required)

☒ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐

☒ Is enclosed herewith

(Separate transmittal letter and postcard not required)

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$760.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol A. Egner
Carol A. Egner
Registration No.: 38,866
Tel.: (978) 341-0036
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: June 26, 2002

JUL 02 2002

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

**FEE TRANSMITTAL FOR
PATENT APPLICATIONS**

Attorney Docket Number	1440.1038-003
Application Number	10/084,832
First Named Inventor	Mustapha Abdelouahed

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	36 - 20* =	16	x \$ 18 =	\$ 288
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	6 - 3** =	3	x \$ 84 =	\$ 252
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
	Total of above Calculations =				\$ 1280
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$ 640
	TOTAL =				\$ 640
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 65
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$ 55
	Assignment Recordation Fee = (only when filed with application)				\$
	TOTAL =				\$ 760

* Reissue claims in excess of 20 and over original patent
 ** Reissue independent claims over original patent

1. Small entity status:

- a. ☒ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$760.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature

Carol A. Egnor

Date

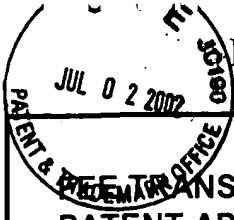
June 26, 2002

Submitted by
Typed or Printed Name

Carol A. Egnor

Reg. Number

38,866



HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

TRANSMITTAL FOR PATENT APPLICATIONS	Attorney Docket Number	1440.1038-003
	Application Number	10/084,832
	First Named Inventor	Mustapha Abdelouahed

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	36 - 20* =	16	x \$ 18 =	\$ 288
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	6 - 3** =	3	x \$ 84 =	\$ 252
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
				Total of above Calculations =	\$ 1280
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$ 640
				TOTAL =	\$ 640
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 65
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$ 55
				Assignment Recordation Fee = (only when filed with application)	\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 760

1. Small entity status:

- a. ☒ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$760.00. ☐ Please charge \$[] to Deposit Account No. 08-0380.

4. ☐ Other: _____

Signature	<i>Carol A. Egner</i>	Date	<i>June 26, 2002</i>
Submitted by Typed or Printed Name	Carol A. Egner	Reg. Number	38,866

0420

#6



ENTERED

OIPE

RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/084,832

DATE: 07/18/2002

TIME: 11:11:41

Input Set : A:\1440.1038-003 seq listing.txt

Output Set: N:\CRF3\07182002\J084832.raw

4 <110> APPLICANT: Abdelouahed, Mustapha
5 Lawler, John W.
7 <120> TITLE OF INVENTION: Diagnostic Assay for Type 2
8 Heparin-Induced Thrombocytopenia
10 <130> FILE REFERENCE: 1440.1038-003
12 <140> CURRENT APPLICATION NUMBER: US 10/084,832
C--> 13 <141> CURRENT FILING DATE: 2002-07-02
15 <150> PRIOR APPLICATION NUMBER: US 60/151,314
16 <151> PRIOR FILING DATE: 1999-08-30
18 <150> PRIOR APPLICATION NUMBER: PCT/US00/23707
19 <151> PRIOR FILING DATE: 2000-08-29
21 <160> NUMBER OF SEQ ID NOS: 3
23 <170> SOFTWARE: FastSEQ for Windows Version 4.0
25 <210> SEQ ID NO: 1
26 <211> LENGTH: 7
27 <212> TYPE: PRT
28 <213> ORGANISM: Homo sapiens
30 <400> SEQUENCE: 1
31 Arg Lys Gly Ser Gly Arg Arg
32 1 5
35 <210> SEQ ID NO: 2
36 <211> LENGTH: 7
37 <212> TYPE: PRT
38 <213> ORGANISM: Homo sapiens
40 <400> SEQUENCE: 2
41 Arg Gln Met Lys Lys Thr Arg
42 1 5
45 <210> SEQ ID NO: 3
46 <211> LENGTH: 4
47 <212> TYPE: PRT
48 <213> ORGANISM: Homo sapiens
50 <220> FEATURE:
51 <221> NAME/KEY: VARIANT
52 <222> LOCATION: (1)...(4)
53 <223> OTHER INFORMATION: Xaa = Any Amino Acid
55 <400> SEQUENCE: 3
W--> 56 Trp Ser Xaa Trp
57 1

RAW SEQUENCE LISTING ERROR SUMMARY
PATENT APPLICATION: US/10/084,832

DATE: 07/18/2002
TIME: 11:11:42

Input Set : A:\1440.1038-003 seq listing.txt
Output Set: N:\CRF3\07182002\J084832.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:3; Xaa Pos. 3

VERIFICATION SUMMARY

PATENT APPLICATION: US/10/084,832

DATE: 07/18/2002

TIME: 11:11:42

Input Set : A:\1440.1038-003 seq listing.txt

Output Set: N:\CRF3\07182002\J084832.raw

L:13 M:271 C: Current Filing Date differs, Replaced Current Filing Date

L:56 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3 after pos.:0



#4

1/1

SEQUENCE LISTING

<110> Abdelouahed, Mustapha
Lawler, John W.

<120> Diagnostic Assay for Type 2
Heparin-Induced Thrombocytopenia

<130> 1440.1038-003

<140> US 10/084,832

<141> 2002-02-27

<150> US 60/151,314

<151> 1999-08-30

<150> PCT/US00/23707

<151> 2000-08-29

<160> 3

<170> FastSEQ for Windows Version 4.0

<210> 1

<211> 7

<212> PRT

<213> Homo sapiens

<400> 1

Arg Lys Gly Ser Gly Arg Arg
1 5

<210> 2

<211> 7

<212> PRT

<213> Homo sapiens

<400> 2

Arg Gln Met Lys Lys Thr Arg
1 5

<210> 3

<211> 4

<212> PRT

<213> Homo sapiens

<220>

<221> VARIANT

<222> (1)...(4)

<223> Xaa = Any Amino Acid

<400> 3

Trp Ser Xaa Trp
1

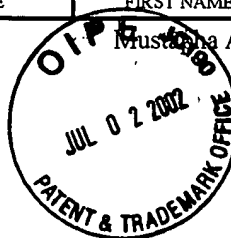


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/084,832	02/27/2002	Mustapha Abdelouahed	1440.1038-003

021005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 VIRGINIA ROAD
P.O. BOX 9133
CONCORD, MA 01742-9133



CONFIRMATION NO. 5718

FORMALITIES LETTER



OC000000007719049

Date Mailed: 03/26/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$540.
 - \$288 for 16 total claims over 20.
 - \$252 for 3 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1410.

07/08/2002 MAILED 0000112 10084832

01 FC:201	370.00 OP
02 FC:202	126.00 OP
03 FC:203	144.00 OP
04 FC:205	65.00 OP

A copy of this notice **MUST** be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE